



## CITY OF HAYWARD AGENDA REPORT

Planning Commission

Meeting Date: 09/28/00

Agenda Item: 5

**TO:** Planning Commission

**FROM:** Kristi Bascom, Assistant Planner

**SUBJECT:** **Variance No. OO-180-10 and Use Permit Application No, 00-160-12, (amendment to UP 98-160-16) -- Alan Ford (Applicant) / Robert Rao, Corporate Motors (Owner) -- Request for a Variance to Erect a 18'6" High Monument Sign with Approximately 93 Square Feet Per Face Where a Maximum Height of 12 Feet with 50 Square Feet Per Face is Permitted - The Property is Located at 2589 1 Mission Boulevard in a CG SD-2 (General Commercial) District with a Special Design Overlay**

### RECOMMENDATION:

Staff recommends that the Planning Commission:

- 1) find that the proposed project is Categorically Exempt from the California Environmental Quality Act (CEQA) guidelines, pursuant to Section 15305, *Minor Alterations to Land Use Limitations*;
- 2) deny the request for a variance and the amendment to the conditional use permit, *subject* to the attached findings.

### BACKGROUND

#### Setting

The site is located at 25891 Mission Boulevard north of Harder Road, in a CG (General Commercial) District with an SD-2 (Special Design) Overlay. The requirements of the SD-2 overlay dictate that the design theme for development in this district shall be Spanish ranch compatible with the early history of Mission Boulevard. The requirements also state that buildings and signs along the east side of Mission Boulevard shall be set back or limited in height so as to not intrude on the views from the west side of Mission.

The site encompasses 94,250 square feet and is improved with a one-story tilt-up warehouse building with a 28,790 square foot footprint. The site has approximately 270 feet of frontage on Mission Boulevard, 275 feet of frontage on Dollar Street, and averages 311 feet deep. The site is in an established commercial neighborhood familiarly known as "Auto Row."

### Project Description

Corporate Motors has constructed a facility which allows for the retail sales/service of used cars (9,240 square feet) and a credit union for automobile financing (2,700 square feet), with the larger portion of the building (17,160 square feet) being leased to Saratoga Motors. The building design and landscaping are a welcome addition to Mission Boulevard, providing an exemplary model of an attractive commercial building with the Spanish adobe theme.

Specifically, the facility serves the following purposes: *(as excerpted from the original staff report on this project – UP 98-160-16 – from November 23, 1998)*

**Service Department** – This area handles servicing the automobiles from the Corporate Motors site at 25654 Mission Boulevard. The existing operations at 25656 Mission are unable to completely **service the vehicles sold because** of increasing sales numbers.

**Sales Department** – The display area next to the Service Department is for car sales. The applicant estimates that it holds 49-53 vehicles on display for sale. The Sales Department has an entrance next to the Service Department.

**Credit Union Department** – This is a center that is shared by multiple credit unions with the intent of creating a car buying service for their members. Additionally, an ATM is being installed which will be shared and serviced by all credit unions, in hopes of increasing traffic in the center. Also, Patelco Federal Credit Union has requested to put in a full service center and to share their services with other credit unions.

The overall intent of the facility is to bring many of the credit union members throughout the Bay Area to this one center for their car buying experience. The applicant will contract with the credit unions to provide marketing for the center. The applicant will also provide new car brokering and they hope to filter the new car business to the new car dealers on Mission Boulevard. This is the first prototype of a center such as this anywhere in the country.

**Warehouse** – This area is initially being rented to Saratoga Motors. Their access is only from Dollar Street. The applicant anticipates that as business grows, the area leased to Saratoga Motors will decrease and eventually be taken over entirely by the applicant. The warehouse area will also be used for the occasional “massive one day sales”, held on certain Saturdays throughout the year.

### Discussion

In the original Conditions of Approval for the project (UP 98-160-16), staff recommended that the applicant be required to submit a final sign permit application which was in compliance with the Sign Ordinance requirements for Auto Dealerships (Condition No. 5).

After approval of the project, a letter dated 10/25/99 was sent to the owner outlining the amount of signage permitted for the facility. The permitted signs are as follows:

- Retail Car Sales: One monument sign, up to 50 square feet per face, up to 12 feet high  
Two wall signs, with letters not to exceed 30 inches high. One wall sign may face Mission

Boulevard and the other may be located on the north side of the building. Maximum area: 100 square feet for both signs.

- Credit Union: Two wall signs of up to 36 square feet each. One sign may face Mission Boulevard and the other may be located on the south side of the building.
- Saratoga Motors Warehouse: Two wall signs of up to 36 square feet each. One sign may face the north side of the building and the other may face Dollar Street.

Currently, the applicant is requesting to amend Condition Number 5 so that they may erect a 18'6" monument sign with approximately 93 square feet per face where a maximum height of 12 feet with 50 square feet per face is permitted.

The applicant has suggested that Corporate Motors functions more as a shopping center than an auto dealership and that it should be allowed the amount of signage for such use. Despite the fact that Corporate Motors is a unique facility in that it has several businesses on site in order to service customers, staff suggests that it functions primarily as an auto dealership. Although the on-site credit unions can offer services to their clients other than auto financing, auto sales is the primary purpose for which they are located within this establishment.

Even if it was agreed to consider Corporate Motors a shopping center, the monument sign would be restricted to 14 feet in height and 150 square feet in **area** (75 square feet **per** face). Sign regulations for a shopping center require a 4 foot setback from the property line, which would be difficult for this site, given the decorative fencing that sits 10 feet from the property line and limits **the area in** which a sign can be placed. Under regular conditions, a shopping center would be required to have a Master Sign Program, which serves to coordinate the signage for multiple independent business establishments. Shopping centers with sign programs still need to **keep** within the guidelines of the Sign Ordinance.

While there are other auto dealerships in the area which have signs that are larger and taller than the monument sign permitted for Corporate Motors, these signs are legal non-conforming signs. When a proposal is made to update those signs, they too will be required to adhere to the current Sign Ordinance requirements for Auto Dealerships. There are no physical conditions peculiar to this property that do not apply to other properties in the same district.

## **ENVIRONMENTAL REVIEW.**

The proposed project is Categorical Exempt from the California Environmental Quality Act (CEQA) guidelines, pursuant to Section 15305, *Minor Alterations to Land Use Limitations*.

## **PUBLIC NOTICE:**

On June 8, 2000, a Referral Notice was mailed to every property owner and occupant within 300 feet of the subject site, as noted on the latest assessor's records. Notice was also provided to the Mission-Foothills Neighborhood Plan Task Force members. The Referral Notice provided an opportunity for persons to comment on the project. Staff received one public comment regarding

the project from a resident who is opposed to the height of the Corporate Motor's sign because "Mission Blvd. is already cluttered with all the car dealerships".

On September 18, 2000, a Notice of Public Hearing for the Planning Commission meeting was mailed to every property owner and occupant within 300 feet of the subject site, as noted on the latest assessor's records. Notice was also provided to the Mission-Foothills Neighborhood Plan Task Force members..

#### CONCLUSION:

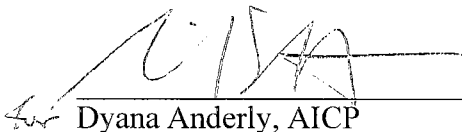
Although the applicant has created a facility which is unique in Uhe type and number of services it offers to customers, there are no findings to support a variance and an amendmenu to the conditional use permit for the allowed signage.

Prepared by:



Kristi Bascom  
Assistant Planner

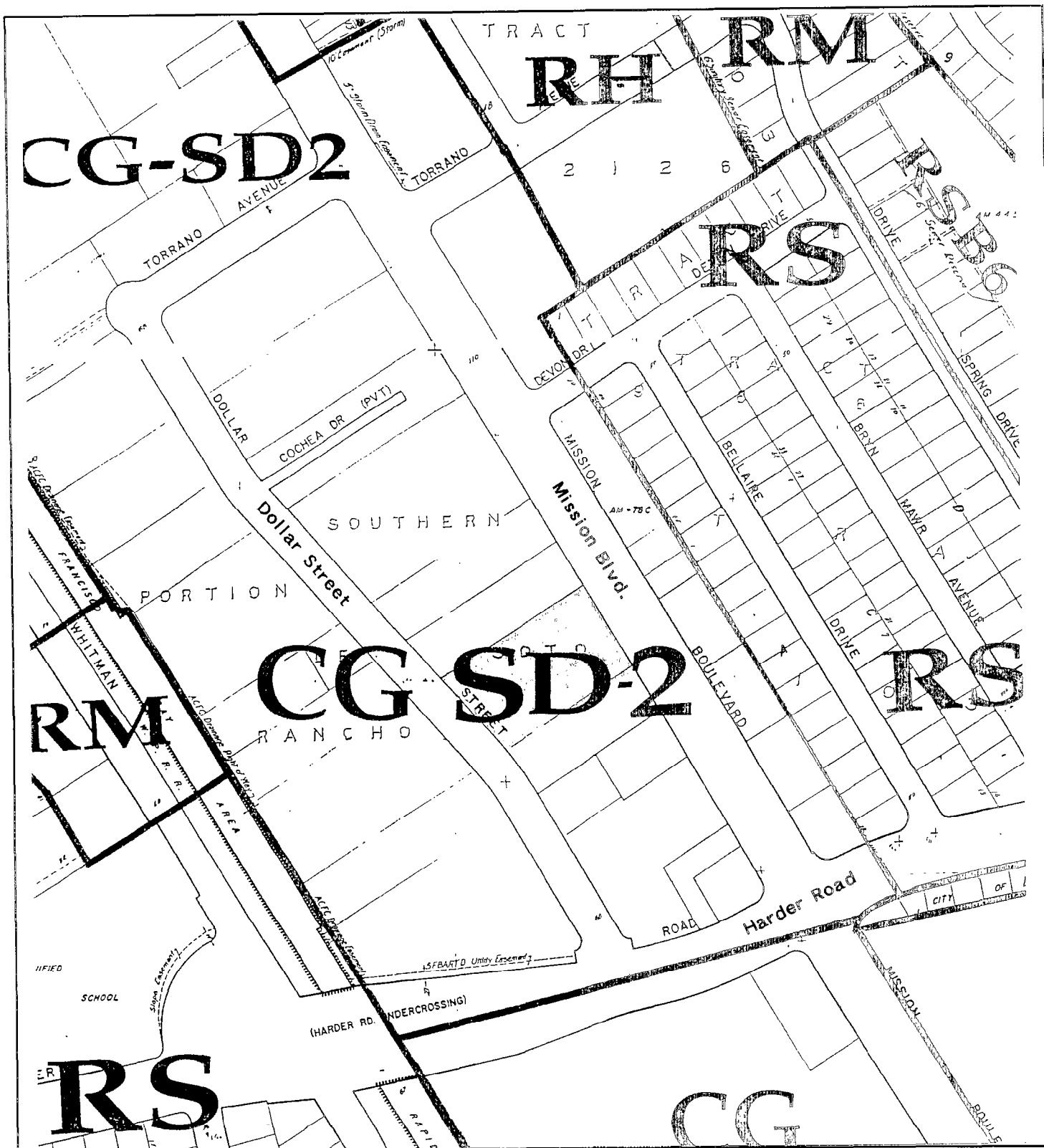
Recommended by:



Dyana Anderly, AICP  
Planning Manager

Attachments:

- A. **Area** and Zoning Map
- B. Findings for Denial  
Sign Illustration and Site Plan



### Area and Zoning Map

25891 Mission Blvd.

UP 00-160-12

Alan Ford/Robert Rao (Applicant/Owner)

Attachment A

## FINDINGS

### **VARIANCE APPLICATION NO. 00-180-10 and USE PERMIT APPLICATION NO. 00-160-12, an amendment to USE PERMIT APPLICATION NO. 98-160-16**

*Alan Ford (Applicant)*

*Robert Rao (Owner)*

25891 Mission Blvd.

**Findings for Denial** – Request for a variance to erect a 18'6" high monument sign with approximately 93 square feet per face where a maximum height of 12 feet with 50 square feet per face is permitted.

- A. That the proposed project is Categorically Exempt from the California Environmental Quality Act (CEQA) guidelines, pursuant to Section 15303, *Minor Alterations to Land Use Limitations*,
- B. 'That there are no special physical conditions or circumstances peculiar to the property involved that do not apply generally to property in the same district;
- C. That the literal interpretation of this article would not cause a hardship or deprive the applicant of rights enjoyed by others in the same district in that the legal nonconforming signs in the area will be required to conform with the zoning ordinance in the future; and
- D. That although the applicant has created a facility which is unique in the type and number of services it offers customers, it still operates as an auto dealership and the approval of a variance would grant a special privilege inconsistent with the limitations on other properties in the same district.